

REMARKS

Claim 1 has been amended to correct an inadvertent typographical error. No new matter has been added. Claims 1-24 and 28 are present in the application.

Rejections under 35 U.S.C. § 102/103

The rejection of the claims under 35 U.S.C. §§ 102(e) or 103(a) over Ohlsen et al. (U.S. Patent Application Publication No. 2004/0058217 A1) is respectfully traversed. Ohlsen et al. is not available as prior art against the present application.

As noted on the face of the publication, Ohlsen et al. was filed on September 20, 2002. The present application claims priority to U.S. Patent Application Serial No. 10/053,187, which was filed on January 14, 2002, prior to the filing date of Ohlsen et al. The present claims are fully supported by the priority application, which has issued as U.S. Patent No. 6,713,206 B2 ('206). See, for example, issued claims 1-36 of the '206 patent. The term "multistream laminar flow" in the present claims is described in the specification at p.10, lines 15-20. This description is identical to the description of "parallel laminar flow" in the '206 patent, at col. 5, line 63 – col. 6, line 3. Due to the earlier priority date of the present application, Ohlsen et al. is not available as prior art against the claims. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims as obvious over Ohlsen et al. in view of Colbow et al. (U.S. Patent Application Publication No. 2003/0003336 A1) or Konrad et al. (U.S. Patent No. 6,472,091 B1) is respectfully traversed. Ohlsen et al. is not available as prior art against the present application. Colbow et al. and Konrad et al. do not disclose each and every element of the claims, and thus cannot support a *prima facie* case of obviousness against the claims. Withdrawal of this ground of rejection is respectfully requested.

Double Patenting Rejection


The rejection of the claims under the judicially created doctrine of obviousness-type double patenting has been obviated by the filing of a terminal disclaimer pursuant to 37 CFR § 1.321(c). Attached is a signed terminal disclaimer with respect to commonly owned U.S. Patent No. 6,713,206 B2.

CONCLUSION

All of the grounds raised in the present Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned at (312) 876-1400.

Respectfully submitted,

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